

UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

SHELTON BENOITE,

Plaintiff,

v.

J. DOERER, et al.,

Defendants.

Case No. 1:24-cv-01407-KES-HBK (PC)

NOTICE TO PARTIES REGARDING  
FINDINGS AND RECOMMENDATIONS TO  
DISMISS ACTION

(Doc. No. 24)

On September 25, 2025, the undersigned issued Findings and Recommendations (“F&R”) to dismiss this action without prejudice for failure to comply with court orders and prosecute this action. (Doc. No. 24). The F&R mistakenly omitted the following Notice to the parties regarding the District Court’s review of the F&R and the process for filing objections. The Parties are hereby advised as follows.

**NOTICE TO PARTIES**

These Findings and Recommendations will be submitted to the United States District Judge assigned to this case, pursuant to the provisions of 28 U.S.C. § 636(b)(1). Within 14 days after being served with a copy of these Findings and Recommendations, a party may file written objections with the Court. *Id.*; Local Rule 304(b). The document should be captioned, “Objections to Magistrate Judge’s Findings and Recommendations” and shall not exceed **fifteen**

1 **(15) pages.** The Court will not consider exhibits attached to the Objections. To the extent a party  
2 wishes to refer to any exhibit(s), the party should reference the exhibit in the record by its  
3 CM/ECF document and page number, when possible, or otherwise reference the exhibit with  
4 specificity. Any pages filed in excess of the fifteen (15) page limitation may be disregarded by  
5 the District Judge when reviewing these Findings and Recommendations under 28 U.S.C. §  
6 636(b)(1)(C). A party's failure to file any objections within the specified time may result in the  
7 waiver of certain rights on appeal. *Wilkerson v. Wheeler*, 772 F.3d 834, 839 (9th Cir. 2014).

8  
9 Dated: September 30, 2025

  
HELENA M. BARCH-KUCHTA  
UNITED STATES MAGISTRATE JUDGE